



## Board of Aldermen Request for Action

**MEETING DATE:** 1/16/2024

**DEPARTMENT:** Development

**AGENDA ITEM:** Resolution 1305, Final Plat Queen's Corner

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**REQUESTED BOARD ACTION:**

A motion to approve Resolution 1305, approving the single-phase final plat for Queen's Corner subdivision.

**SUMMARY:**

The final plat would create three new lots from the existing unplatted lot at 19950 North F Highway.

This land was submitted for a single-phase final plat at the December 12, 2023 Planning and Zoning Commission meeting. The plat would divide an existing large lot into three 3-acre lots on land rezoned to A-R. Following a public hearing, the Planning Commission moved to approve the application for a Single-Phase Final Plat to create these new lots.

**PREVIOUS ACTION:**

none

**POLICY ISSUE:**

The plat complies with the Comprehensive Plan.

**FINANCIAL CONSIDERATIONS:**

None

**ATTACHMENTS:**

- |  |   |
|--|---|
| <input type="checkbox"/> Ordinance               | <input type="checkbox"/> Contract         |
| <input checked="" type="checkbox"/> Resolution   | <input checked="" type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes          |
| <input type="checkbox"/> Other                   |   |

**RESOLUTION 1305**

**A RESOLUTION APPROVING A FINAL PLAT FOR  
QUEEN'S CORNER SUBDIVISION**

**WHEREAS**, the applicant submitted a single-phase final plat application for approval to be heard by the Planning Commission on December 12, 2023; and

**WHEREAS**, the items were advertised in the Courier Tribune newspaper on November 23, 2023 and notices were sent to adjoining landowners on November 17, 2023; and

**WHEREAS**, the Planning Commission held a public hearing and then recommended approval of the proposed Final Plat with the condition that parks fees in the amount of \$1,875 be paid and one fire hydrant be installed on the waterline on the east side of F Hwy per engineering recommendations before the Final Plat may be released for recording; and

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF  
THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:**

**THAT THE FINAL PLAT OF QUEEN'S CORNER SUBDIVISION IS HEREBY  
APPROVED CONDITIONED UPON PAYMENT OF PARKS FEES AND  
INSTALLATION OF A FIRE HYDRANT.**

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 16<sup>th</sup> day of January, 2024.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk



STAFF REPORT  
December 7, 2023  
Platting of Parcel Id # 01-904-00-01-004.00  
and the north ½ acre of 01-904-00-01-006.00

Application for a Plat Approval

Code Sections:  
425.285.A.4                      Single Phase Final Plat Approval

Property Information:

Address:                              19950 N. F Hwy.  
Owner:                                High Tide Properties  
Current Zoning:                      A-1 and R-1B (A-R if approved)  
Public Notice Dates:                November 23, 2023  
185' Notices:                        November 17, 2023

GENERAL DESCRIPTION:

The property is currently a 9-acre farm field with a small pond in the middle of the property. The parcel is surrounded by generally farmsteads with single family houses on large to very large lots. The applicant seeks to divide the parcel into 3 lots, all 3 acres in size to comply with the A-R district requirements for lots without sewers.



GUIDELINES FOR REVIEW – SINGLE PHASE SUBDIVISION FINAL PLATS *See 425.285.A.4*

The Planning Commission shall consider the following criteria in making a recommendation on the plat:

- a. The plat conforms to these regulations and the applicable provisions of the Zoning Ordinance and other land use regulations. ***Yes, the layout complies with zoning and subdivision requirements.***
- b. The plat represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan. ***Yes.***
- c. The development shall be laid out in such a way as to result in:
  - (1) Good natural surface drainage to a storm sewer or a natural watercourse. ***Yes, the existing drainage areas are being maintained.***
  - (2) A minimum amount of grading on both cut or fill and preservation of good trees and other desirable natural growth. ***Yes, no grading, other than for residential style buildings is anticipated.***
  - (3) A good grade relationship with the abutting streets, preferably somewhat above the street. ***Yes.***
  - (4) Adequate lot width for the type or size of dwellings contemplated, including adequate side yards for light, air, access and privacy. ***Yes.***
  - (5) Adequate lot depth for outdoor living space. ***Yes.***
  - (6) Generally regular lot shapes, avoiding acute angles. ***Yes, to the extent possible.***
  - (7) Adequate building lots that avoid excessive grading, footings or foundation walls. ***Yes.***
- d. The plat contains lot and land subdivision layout that is consistent with good land planning and site engineering design principles. ***Yes.***
- e. The location, spacing and design of proposed streets, curb cuts and intersections are consistent with good traffic engineering design principles. ***No streets are anticipated.***
- f. The plat is served or will be served at the time of development with all necessary public utilities and facilities, including, but not limited to, water, sewer, gas, electric and telephone service, schools, parks, recreation and open space and libraries. ***Yes, the development will be served by private septic systems, but all other utilities are available.***
- g. The plat shall comply with the stormwater regulations of the City and all applicable storm drainage and floodplain regulations to ensure the public health and safety of future residents of the subdivision and upstream and downstream properties and residents. The Commission shall expressly find that the amount of off-site stormwater runoff after development will be no greater than the amount

of off-site stormwater runoff before development. ***The proposed development meets the code requirements and the City's engineer recommends approval of the plat conditioned upon construction meeting adopted city codes.***

h. Each lot in the plat of a residential development has adequate and safe access to/from a local street. ***Yes.***

i. The plat is located in an area of the city that is appropriate for current development activity; it will not contribute to sprawl nor to the need for inefficient extensions and expansions of public facilities, utilities and services. ***Yes.***

j. If located in an area proposed for annexation to the City, the area has been annexed prior to, or will be annexed simultaneously with plat approval. ***n/a***

k. The applicant agrees to dedicate land, right-of-way and easements, as may be determined to be needed, to effectuate the purposes of these regulations and the standards and requirements incorporated herein. ***No dedications of additional land is needed or requested, but there will be park fees in lieu of dedication in the amount of \$625 per lot required prior to releasing the plat for recording.***

l. All applicable submission requirements have been satisfied in a timely manner. ***Yes.***

m. The applicant agrees to provide additional improvements, which may include any necessary upgrades to adjacent or nearby existing roads and other facilities to current standards and shall include dedication of adequate rights-of-way to meet the needs of the City's transportation plans. ***n/a***

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Final Plat.

Respectfully Submitted,

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Director of Development

**FINAL PLAT**  
**QUEEN'S CORNER**  
 A SUBDIVISION IN THE NW 1/4  
 SECTION 36, T-54N; R-33W  
 SMITHVILLE, CLAY COUNTY, MISSOURI

**RECORD DESCRIPTION BOOK 9637 PAGE 14:**  
 A tract of land in the Northwest Quarter of Section 36, Township 54 North, Range 33 West, Clay County, Missouri, described as follows: Beginning at a point on the North line of said Northwest Quarter, said point being 130.2 feet North, 89 degrees, 55 minutes East of the Northwest corner of said Northwest Quarter; thence South 00 degrees, 35 minutes East, 660.4 feet; thence North 88 degrees, 55 minutes East, 601.77 feet to a point on the Westerly right-of-way line of State Route F (said point being 2016.4 feet North of the South line of said Northwest Quarter, measured along said Westerly right-of-way line); thence North 00 degrees, 35 minutes West, along said Westerly right-of-way line, 357.75 feet to a point of curve; thence on a curve to the left with a radius of 271.04 feet and a central angle of 88 degrees, 22 minutes, 41.627 feet; thence North 01 degrees, 03 minutes East, 10 feet; thence continuing along said right-of-way line, North 88 degrees, 57 minutes West, 169.9 feet to a point of curve; thence on a curve to the right, with a radius of 330.33 feet, 79.46 feet to the said North line of said Northwest Quarter; thence South 88 degrees, 55 minutes West, 90.4 feet to the point of beginning.

And Also  
**PROPERTY DESCRIPTION:**  
 Commencing at the Northwest Corner of Section 36, Township 54 North, Range 33 West, Clay County, Missouri; thence along the North line of the Northwest Quarter South 89 degrees 37 minutes 38 seconds East, 130.20 feet; thence South 00 degrees 52 minutes 22 seconds West, 660.40 feet; thence South 89 degrees 38 minutes 13 seconds East, 601.77 feet to the Point of Beginning; thence South 00 degrees 45 minutes 26 seconds West, 36.24 feet; thence North 89 degrees 38 minutes 13 seconds West, 601.84 feet; thence North 00 degrees 52 minutes 22 seconds East, 36.24 feet to the Point of Beginning.

The above described tract of land contains 0.50 acres, more or less, and is subject to all recorded and unrecorded easements, restrictions, and right-of-ways.

**SURVEYOR'S CERTIFICATION:**  
 I HEREBY CERTIFY that we have performed a survey and prepared the accompanying plat of the premises described hereon which meets or exceeds the current Missouri Standards for Property Boundary Surveys, 10 CSR 30-2 and 20 CSR 2030-16, and that the results of said survey are represented on this plat to the best of my professional knowledge and belief.

**WITNESS** hand and seal this Twelfth (12th) day of October, 2023.

Richard L. Mattson  
 Missouri P.L.S. 2674

- SURVEYOR'S NOTES:**
- Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements that were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations; and any other facts that an accurate and current title search may disclose.
  - Declaration is made to original purchaser of the survey. It is not transferable to additional institutions or subsequent owners.
  - Survey is valid only if print has original seal and signature of surveyor.
  - Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied the surveyor. No abstract of title, nor title commitment, nor results of title searches were furnished the surveyor. There may exist other documents of record that would affect this parcel.
  - Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
  - The word "certify" or "certificate" as shown and used hereon means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.
  - The North line of the Northwest Quarter of Section 36, Township 54 North, Range 33 West, Clay County, Missouri bears South 89 degrees 37 minutes 38 seconds East for this survey.

**EASEMENTS:**  
 Easements are hereby dedicated for public use. As utility easement right-of-way which are shown as lying between the dashed lines in width indicated and as set forth on this plat unless otherwise noted, and side easements may be employed for the purpose of installing, repairing and maintaining sanitary sewers, storm sewers, gas lines, electric lines, telephone lines, trails and all other forms and types of public utilities now and hereafter used by the public over, under and along the strips marked U/E and T/E.

**STREETS:**  
 Streets are shown on this plat and not heretofore dedicated to and for public use are hereby dedicated.

Know all men by these presents that we, the undersigned property owners of the property as above set forth in the legal description, have caused the same to be surveyed and platted into lots, blocks, easements, lanes, drives, courts, streets and avenues. The same to be known as the Queen's Corner, an addition to the City of Smithville, Clay County Missouri, the lanes, drives, courts, streets and avenues are hereby dedicated to and for the use of public, and easements as indicated on the accompanying plat are hereby granted to the public for the purpose of constructing, operating, maintaining, and repairing all public utilities.

**PLAT DEDICATION:**  
 The undersigned High Tide Properties LLC, owner of the property described herein has caused the same to be subdivided as shown on this plat and said property shall hereafter be known as:

"Queen's Corner"

IN TESTIMONY WHEREOF the undersigned owner has hereunto set his hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

High Tide Properties LLC

Donald L. Talley, Member

STATE OF MISSOURI }  
 COUNTY OF \_\_\_\_\_ } SS;

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me personally appeared Donald L. Talley, Member, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

**PLANNING COMMISSION:**  
 The final plat of Queen's Corner was submitted to and approved by the Smithville Planning and Zoning Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman \_\_\_\_\_ Secretary \_\_\_\_\_  
 (SEAL) (SEAL)

**BOARD OF ALDERMEN:**  
 This final plat approved by the Board of Aldermen of Smithville, Missouri this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Mayor \_\_\_\_\_ ATTEST: City Clerk \_\_\_\_\_  
 (SEAL)

**RECORDER OF DEEDS:**  
 Entered on transfer record this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

County Recorder \_\_\_\_\_

**PREPARED FOR:**  
**DIRK TALLEY**  
 SECTION 36, T-54N; R-33W  
 CLAY COUNTY, MISSOURI

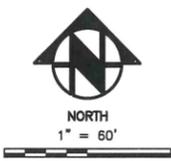
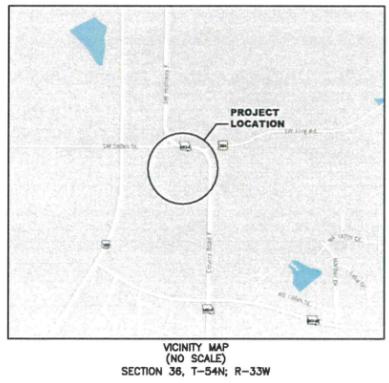
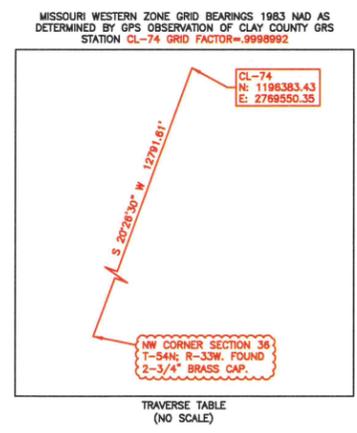
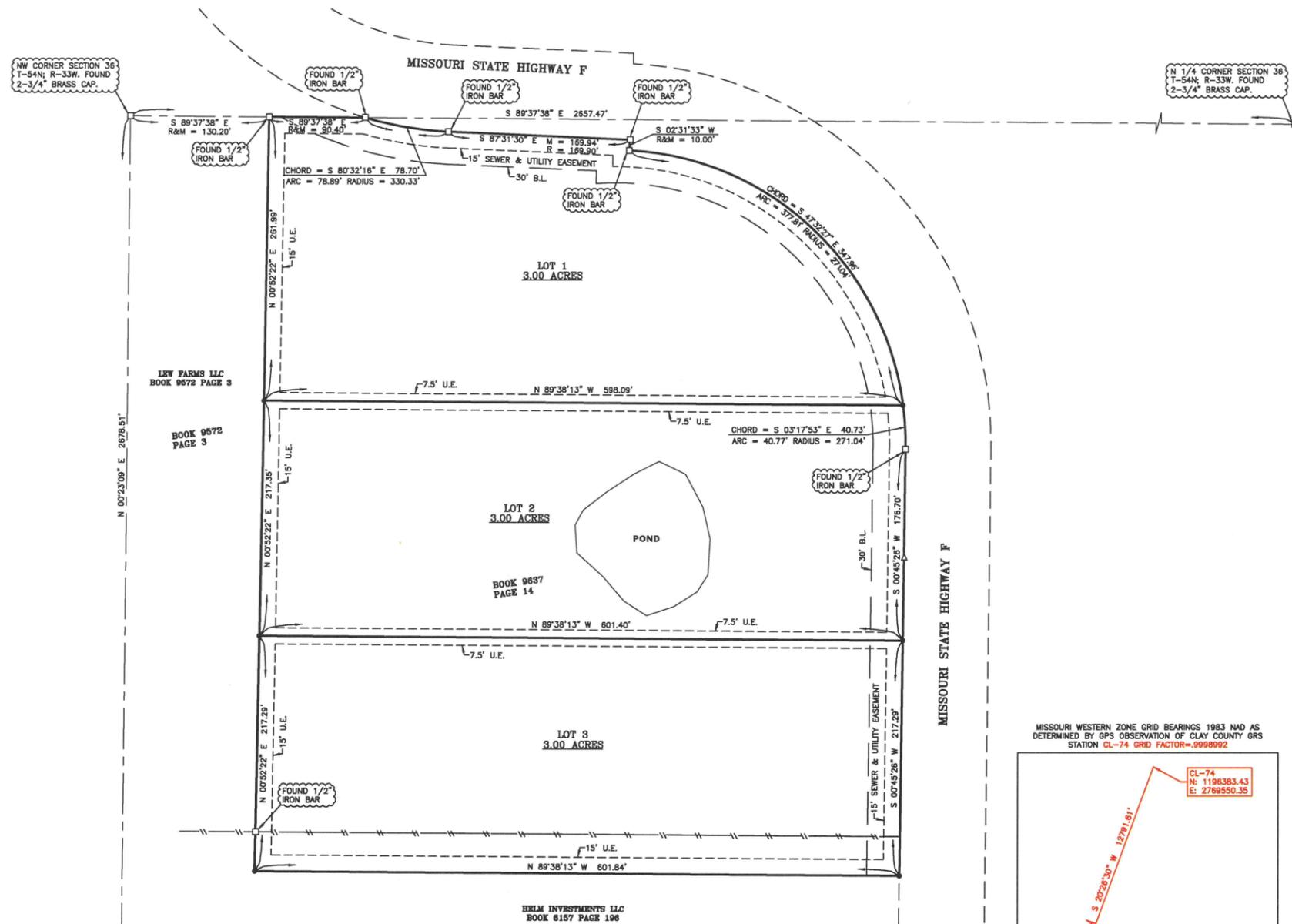
**MIDLAND SURVEYING**  
 Midland Surveying, Inc.  
 Missouri State Certificate of Authority #000120

**LAND SURVEYORS - PLANNERS**  
 4784 Frederick Blvd, St. Joseph, MO 64506  
 ph. (816) 233-7900 fax (816) 233-4852  
 501 North Market, Maryville, MO 64468  
 ph. (660) 582-8633 fax (660) 582-7173

FILE:	DATE:	SCALE:	REVISED:	SHEET NO.
QUEENS_CORNER	OCT. 12, 2023	1" = 60'		1 OF 1

**PREPARED BY:**  
 Richard L. Mattson, MO PLS 2674  
 Midland Surveying, Inc.  
 4784 Frederick Blvd.  
 St. Joseph, MO 64508

**LANDOWNER/DEVELOPER:**  
 High Tide Properties, LLC  
 1101 S US 169 Hwy  
 Smithville MO 64089



- LEGEND**
- = DENOTES 1/2" BAR & LC 000120 CAP SET
  - = DENOTES CALCULATED CORNER
  - = DENOTES FOUND MONUMENT
  - △ = DENOTES RIGHT OF WAY MARKER
  - = FENCE
  - M = MEASURED DISTANCE
  - R = RECORDED DISTANCE

NW CORNER SECTION 36  
 T-54N; R-33W. FOUND  
 2-3/4" BRASS CAP.

N 1/4 CORNER SECTION 36  
 T-54N; R-33W. FOUND  
 2-3/4" BRASS CAP.

LEW FARMS LLC  
 BOOK 9572 PAGE 3

BOOK 9572  
 PAGE 3

BOOK 9637  
 PAGE 14

HELM INVESTMENTS LLC  
 BOOK 6157 PAGE 196

W 1/4 CORNER SECTION 36  
 T-54N; R-33W. FOUND  
 2-3/4" BRASS CAP.